

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 19

November 15, 2012

SUBJECT: SEIZURES OF LARGE QUANTITIES OF CONTROLLED SUBSTANCES IN EXCESS OF THIRTY POUNDS - RENAMED AND REVISED; DISPOSITION AUTHORIZATION - REVISED; PROPERTY DISPOSITION/UPDATE REQUEST, FORM 10.06.00 - REVISED; PRE-TRIAL AUTHORIZATION FOR THE DESTRUCTION OF LARGE QUANTITIES OF CONTROLLED SUBSTANCES - REVISED; LAPD PRE-TRIAL NARCOTICS DESTRUCTION AUTHORIZATION, FORM 10.11.00 - REVISED

PURPOSE: The Department has finite space for the proper storage of controlled substances and such storage must be managed to comply with requisite Fire/Life Safety and Cal/OSHA requirements. There are no other Department alternate storage facilities, and the City of Los Angeles has not identified any additional sites to store suspected controlled substances.

Pursuant to Health and Safety (H&S) Code Section 11479, the Chief of Police has determined that it is not reasonably possible at the present time and for the foreseeable future to preserve excess quantities of suspected controlled substances in place or to remove such excess quantities to another location due to insufficient storage facilities. Until further notice, excess quantities of suspected controlled substances are subject to destruction in accordance with 11479 H&S and all applicable Department procedures related to pre-trial destruction of large quantities of controlled substances. The ability of the Department to store large quantities of controlled substances will be reviewed on an annual basis.

This Order establishes the requirements for an officer, when seizing large quantities of controlled substances in excess of 30 pounds net weight, to complete a Property Disposition/Update Request, Form 10.06.00, at the time of booking, while ensuring compliance with 11479 H&S. The Property Disposition/Update Request form has been revised to ensure that the booking officer has met the necessary statutory requirements when requesting immediate disposal of controlled substances per 11479 H&S. These procedures apply to large seizures of controlled substances booked on or after the date of this Order.

In order to streamline the pre-trial narcotics destruction authorization process on narcotics already booked, the Director, Office of Special Operations (OSO), has been designated as the final approving authority. The LAPD Pre-Trial Narcotics Destruction Authorization, Form 10.11.00, has been revised to reflect this change and will be used to authorize destruction of large quantities of controlled substances booked prior to this Special Order.

PROCEDURE: The following Manual Sections and forms pertaining to the seizure and disposition of large quantities of controlled substances in excess of 30 pounds have been revised.

- I. DEPARTMENT MANUAL SECTION 4/540.75, SEIZURES OF LARGE QUANTITIES OF CONTROLLED SUBSTANCES IN EXCESS OF THIRTY POUNDS - RENAMED AND REVISED.** This section is renamed as Seizures of Large Quantities of Controlled Substances in Excess of Thirty Pounds Net Weight and revised to require the officer booking a large quantity of a controlled substance in excess of thirty pounds to be responsible for authorizing the disposition of excessive amounts of controlled substances by completing a Property Disposition/Update Request, Form 10.06.00. Attached is revised Manual Section 4/540.75, with revisions in italics.
- II. DEPARTMENT MANUAL SECTION 4/550.10, DISPOSITION AUTHORIZATION - REVISED.** This section is revised to allow the officer booking property to submit the Property Disposition/Update Request form directly to the property officer at the time of booking. Attached is the revised Manual Section 4/550.10, with revisions in italics.
- III. PROPERTY DISPOSITION/UPDATE REQUEST, FORM 10.06.00 - REVISED.** The Property Disposition/Update Request, Form 10.06.00, has been revised to require booking officers to provide additional information when large seizures of controlled substances are involved and will be authorized for disposition pursuant to 11479 H&S and Manual Section 4/540.75.
- IV. DEPARTMENT MANUAL SECTION 4/552.02, PRE-TRIAL AUTHORIZATION FOR THE DESTRUCTION OF LARGE QUANTITIES OF CONTROLLED SUBSTANCES - REVISED.** This section is revised to designate the Director, OSO, as the final approving authority giving authorization for the destruction of large quantities of controlled substances that were not authorized for destruction at the time of booking. Attached is the revised Manual Section 4/552.02, with revisions in italics.
- V. LAPD PRE-TRIAL NARCOTICS DESTRUCTION AUTHORIZATION, FORM 10.11.00 - REVISED.** The LAPD Pre-Trial Narcotics Destruction Authorization, Form 10.11.00, has been revised to designate the Director, OSO, as the final approving authority for the destruction of large

November 15, 2012

quantities of controlled substances pursuant to procedures in Manual Section 4/552.02. The "Form Use Link" applicable to the LAPD Pre-Trial Narcotics Destruction Authorization is accessible in Volume V of the Department Manual.

FORM AVAILABILITY: The Property Disposition/Update Request, Form 10.06.00, and the LAPD Pre-Trial Narcotics Destruction Authorization, Form 10.11.00, are available via LAPD E-Forms on the Department's Local Area Network.

AMENDMENTS: This Order amends Sections 4/540.75, 4/550.10, 4/552.02 of the Department Manual. The "Form Use" link applicable to the Property Disposition/Update Request and the LAPD Pre-Trial Narcotics Destruction Authorization in LAPD E-Forms have also been revised.

AUDIT RESPONSIBILITY: The Commanding Officer, Internal Audits and Inspections Division, will review this directive and determine whether an audit or inspection will be conducted in accordance with Department Manual Section 0/080.30.



CHARLIE BECK
Chief of Police

Attachments

DISTRIBUTION "D"

**DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 19, 2012**

540.75 SEIZURES OF LARGE QUANTITIES OF CONTROLLED SUBSTANCES IN EXCESS OF THIRTY POUNDS NET WEIGHT. *The following procedures must be followed for seizures of large quantities of controlled substances estimated to be in excess of thirty pounds net weight. When booking Phencyclidine (PCP) in a one-half gallon or larger container or when there is a total volume of one-half gallon or more of PCP, officers must comply with Section 4/540.72 of the Department Manual.*

Officer's Responsibilities. Officers who seize quantities of a controlled substance in excess of thirty (30) pounds net weight, which are to be booked into Property Division, *must:*

- Immediately notify the *Officer in Charge, Complaint Filing Detail, Gang and Narcotics Division (GND), and the Hazardous Chemical Team, Scientific Investigation Division (SID)*. When GND or SID is closed, notification *must* be made to Real-Time Analysis and Critical Response (*RACR*) Division;
- *Ensure that SID responds to the scene and completes their responsibilities as detailed below under Scientific Investigation Division's Responsibilities.* The officers responsible for the seizure *must* maintain control of the evidence and book it into Property Division.
- Complete a Property Report in compliance with the following procedures:
 - * *If the controlled substance is found property with no follow-up investigation, and GND Property Disposition Coordinator (PDC) Supervisor approves, then no samples will be taken and the controlled substance will be weighed, packaged, and authorized for disposal; otherwise,*
 - * *The first item(s) on the Property Report must be a minimum of 10 pounds net weight of the controlled substance, and the item will not exceed 30 pounds total weight;*
 - * *The next item(s) on the Property Report must be a minimum of five random and representative samples from the total remaining suspected controlled substance items and must be clearly identified as samples, and if the suspected controlled substance is marijuana, the five random samples may include leaves or buds;*

Note: *If the suspected controlled substance was recovered from multiple locations at the same address, the samples must be taken from a variety of locations (e.g., garage, bedroom, or living room). If the suspected controlled substance was recovered from multiple addresses, the GND Property Disposition Coordinator Supervisor, after consulting with the Investigating Officer, must determine the amount of suspected controlled substance to be retained and the locations from which samples will be taken.*

- * *The next item(s) on the Property Report will be the remaining suspected controlled substance items; and,*

**DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 19, 2012**

- * The final item(s) on the Property Report *will* be the remaining non-narcotic *items*.
- *Complete a Property Disposition/Update Request, Form 10.06.00, authorizing the disposition of the excess or found controlled substances while ensuring compliance with Section 11479 of the California Health and Safety Code, when applicable; and*

***Note:** Commanding officers may request the retention of such evidence by submitting an Intradepartmental Correspondence, Form 15.02.00, to Property Division within 10 calendar days of the date booked, detailing the rationale for retaining the evidence. The Commanding Officers of Property Division and GND will review the request and advise the requesting commanding officer of the decision.*

- *Submit the completed Property Disposition/Update Request to the Property officer at the time of booking the controlled substance.*

Scientific Investigation Division's Responsibilities. When criminalists from SID are notified of the seizure of a controlled substance in excess of thirty (30) pounds net weight, which is going to be booked into Property Division, they *will* respond to the location where the narcotics are to be weighed and packaged. The seizure *must* be photographed by SID to reasonably demonstrate the total amount of the suspected controlled substance seized and to be destroyed.

Scientific Investigation Division personnel will remove the required number of samples for testing, when required, and weigh and package the controlled substance in accordance with Department procedures for packaging evidence. The *net* weight of the suspected controlled substance *must* be determined either by actually weighing the suspected controlled substance or by estimating the weight after completing dimensional measurements of the total suspected controlled substance.

Gang and Narcotics Division's Responsibilities. When the Complaint *Filing Detail*, GND, is notified of a seizure of a controlled substance in excess of thirty pounds net weight, that is going to be booked into Property Division, they *will* respond to the location to provide advice, if necessary, and ensure that the proper procedures for completing a Property Report *and a Property Disposition/Update Report* have been followed, as set forth in the Officer's Responsibilities of this Section.

DEPARTMENT MANUAL
VOLUME IV
Revised By Special Order No. 19, 2012

552.02 PRE-TRIAL AUTHORIZATION FOR THE DESTRUCTION OF LARGE QUANTITIES OF CONTROLLED SUBSTANCES. *This Section delineates procedures for pre-trial authorization for the destruction of large quantities of controlled substances that were not authorized for destruction at the time of booking.*

Responsibility of Commanding Officer, Property Division. Upon determining that a quantity of a booked controlled substance, exceeding the limits defined in Health and Safety Code Section 11479 et seq., poses a security or storage problem, the Commanding Officer (CO), Property Division, *will direct a LAPD Pre-Trial Narcotics Destruction Authorization, Form 10.11.00, via the Assistant to the Director, OSO to the CO, GND.*

Responsibilities of Commanding Officer, Gang and Narcotics Division. The CO, GND, *will review and facilitate requests for the pre-trial destruction of excessive quantities of controlled substances submitted by the CO, Property Division.*

Upon receiving a LAPD Pre-Trial Narcotics Destruction Authorization, the CO, GND, *will direct a member of GND to investigate the controlled substance for pre-trial destruction.*

Upon determining the narcotics can be destroyed, the CO, GND, *will forward the LAPD Pre-Trial Narcotics Destruction Authorization to the Director, OSO, requesting the destruction of the controlled substance.*

When circumstances indicate that pre-trial destruction of narcotics would be inappropriate, the CO, GND, *will explain the reason for non-destruction in the narrative portion of the LAPD Pre-Trial Narcotics Destruction Authorization and return the signed form to the CO, Property Division.*

Note: Appeals to the decision of the CO, GND, may be made telephonically to the CO, GND, and the Assistant to the Director, OSO, if critical to storage or security.

Responsibility of the Assistant to the Director, Office of Special Operations. The Assistant to the Director, OSO, *will review the LAPD Pre-Trial Narcotics Destruction Authorization and upon approval or disapproval, forward the form to the CO, Property Division. The Director, OSO, has the final authority to approve the destruction of excess quantities of controlled substances that were not authorized for destruction at the time of booking.*

**DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 19, 2012**

550.10 DISPOSITION AUTHORIZATION. Authorization for property disposition (Investigative Hold, Authorized for Release, Authorized for Disposal, or Reroute) may be given only by the investigating officer, booking officer, or PDC. Authorization *must* be effected by:

- Completing a Property Disposition/Update Request *and submitting it to the property officer at the time of booking; or*
- Forwarding it to the PDC for input into the *Automated Property Information Management System*; or,
- Presenting a completed Property Disposition/Update Request to a property officer if property must be immediately released to a waiting individual and the PDC is not available; *or*
- *Obtaining approval from the Director, Office of Special Operations, for the pre-trial narcotics destruction of excess quantities of controlled substances, per Manual Section 4/552.02.*

Note: If property is booked at another Property Division facility, a property officer *will* input the release instructions into APIMS and refer the person to whom the property is being released to the appropriate property room.

Advisement via telephone or email to a Property Division facility in order to release property is appropriate **only** when a PDC or Area property officer is not available and an immediate release is necessary.

Exception: Property Division *will* authorize the disposition of *released property that remains unclaimed.*

Employees responsible for authorizing the disposition of property *must* cause the **immediate** release of an arrestee's property when the employees become aware that:

- The arrestee is released from custody and no charges are filed; *and,*
- The property is no longer required for investigation or prosecution; *and,*
- There is no legal basis to justify holding the property.

Note: When the property is not released, the arrestee should be advised of the reason for retention and, if appropriate, the procedures required to obtain the property. Property *must* be released only to the person authorized on a Property Disposition/Update Request, *Property Owner's Notification, Power of Attorney, or to an agent designated by the property owner in a notarized letter addressed to the Department.*

DEPARTMENT MANUAL
"Form Use" Link
Revised By Special Order No. 19, 2012

**10.11.00 LAPD PRE-TRIAL NARCOTICS DESTRUCTION AUTHORIZATION,
FORM 10.11.00.**

10.11.00-01 Use of Form. This form *will* be used by Property Division to request *Gang and Narcotics Division (GND)* to investigate quantities of narcotics evidence eligible for pre-trial destruction. Additionally, this form *will* be used by *GND* to request authorization for pre-trial narcotics destruction from the *Director, Office of Special Operations*.

10.11.00-10 Completion.

- A separate form *will* be used for each DR number.
- Each involved entity *will* retain its designated copy of the form.
- Property Division *will* complete the designated section of the form and forward to *GND*.
- *Gang and Narcotics Division will* complete its designated section of the form and forward it through channels to the *Director, OSO*.
- The form *will* be returned to Property Division if disapproved by any entity whose approval is needed for pre-trial narcotics destruction.
- The form *will* be returned to Property Division following final approval by the *Director, OSO*.

10.11.00-80 Distribution.

- 1 - Original-Property Division.
- 1 - Copy-*Gang and Narcotics Division*.
- 2 - TOTAL**

PROPERTY DISPOSITION/UPDATE REQUEST

COMPLETION INSTRUCTIONS

This form is to be completed when property related information is to be updated in APIMS. Upon completion, this form must be submitted to the appropriate PDC or property officer. If there is more than one additional suspect or arrestee, list each additional person's name, booking number or warrant number on page 2 of this form. If property is to be released to more than one person, list each person's name, address, and the items to be released on page 2 of this form.

DR NUMBER _____ TRANSACTION# (PDC USE ONLY) _____

BOOKED TO: _____ DOB _____
LAST NAME FIRST NAME

BOOKING NUMBER _____ DATE PROP BOOKED _____

COURT CASE # _____ INTERNAL CASE # _____

ADDITIONAL SUSPECT/ARRESTEE NAME: _____
(LIST ADDITIONAL SUSPECTS OR ARRESTEES ON PAGE 2 OF THIS FORM.)

BKG #/WARR # _____

PROPERTY DISPOSITION INSTRUCTIONS

☐ HOLD - ITEM # _____ (or ALL)

REASON: _____

☐ DISPOSE - ITEM # _____ (or ALL)

No further value as evidence.

REASON: _____

Note: If large seizures of narcotics are authorized for immediate disposal per 11479 H&S (Manual Section 4/540.75), the booking officer is responsible for ensuring the below listed check boxes are marked. By checking all the boxes below, you are attesting that the requirements of 11479 H&S have been met. All controlled substances outside of the primary and random samples must be disposed of and listed on the dispose items line.

☐ A minimum of 10 but no more than 30 pounds of the suspected controlled substance is being retained as Item #(s)

☐ Five random and representative samples from the total remaining suspected controlled substance are being retained as Item # _____

☐ Photographs have been taken by SID

☐ The gross weight of the suspected controlled substance has been determined and listed on the Property Report.

☐ REROUTE TO: (NAME/DIVISION) _____

REASON: _____

☐ RELEASE - ITEM #S _____ (or ALL) to:

REASON: _____

LAST NAME FIRST NAME

ADDRESS APT. #

CITY STATE ZIP CODE

COUNTRY

(ADDITIONAL NAMES MAY BE LISTED ON PAGE 2 OF THIS FORM.)

DISPOSITION INSTRUCTIONS AUTHORIZED BY: NAME (PRINTED) _____

SIGNATURE _____ SERIAL # _____ DATE _____

ADDITIONAL SUSPECT/ARRESTEE NAME: _____

BKG #/WARR # _____

ADDITIONAL SUSPECT/ARRESTEE NAME: _____

BKG #/WARR # _____

ADDITIONAL SUSPECT/ARRESTEE NAME: _____

BKG #/WARR # _____

ADDITIONAL SUSPECT/ARRESTEE NAME: _____

BKG #/WARR # _____

ADDITIONAL NAMES - RELEASED PROPERTY TO:

LAST NAME FIRST NAME ITEM #S _____

ADDRESS APT. #

CITY STATE ZIP CODE

COUNTRY

LAST NAME FIRST NAME ITEM #S _____

ADDRESS APT. #

CITY STATE ZIP CODE

COUNTRY

NOTES:

LAPD PRE-TRIAL NARCOTICS DESTRUCTION AUTHORIZATION

Instructions: One form shall be completed per DR number. The Commanding Officer, Property Division, will complete the designated section of this form and forward it to the Commanding Officer, Gang and Narcotics Division. Gang and Narcotics Division personnel will research the case and determine if pre-trial destruction is appropriate, and, if so, complete the designated section of this form and forward it, through channels, to the Director, Office of Special Operations for approval. When the form has received final approval, or is disapproved by any of the involved entities, the original must be forwarded to Property Division for purposes of records retention.

PROPERTY DIVISION	It has been determined that a quantity of controlled substance which has been booked into Property Division poses a security and/or storage problem. It is therefore requested that Gang and Narcotics Division investigate the feasibility of pre-trial destruction.		
	DR NUMBER	DATE BOOKED	WEIGHT
	SUBSTANCE	BOOKED TO	
	SIGNATURE OF COMMANDING OFFICER, PROPERTY DIVISION		DATE
GANG AND NARCOTICS DIVISION	In response to this request from Property Division, Gang and Narcotics Division has researched this case. It has been determined that the quantity of narcotics in question has become a liability and poses a security and/or storage problem. Under the authority of Health and Safety Code Sections 11479, 11479.1, and 11479.2, it is requested that the Director, Office of Special Operations, authorize the destruction of the related narcotics evidence.		
	DEFENDANT'S NAME	COURT CASE NUMBER	
	H&S SECTION CHARGED	SENTENCING ENHANCEMENT	
	AMOUNT TO BE RETAINED	AMOUNT TO BE DESTROYED	
	NARRATIVE (Attach white paper if needed. Specify item numbers and weights of items to be retained and destroyed. If pre-trial destruction is to be denied, explain the basis for denial.)		
	SIGNATURE OF COMMANDING OFFICER, GANG AND NARCOTICS DIVISION		DATE
<input type="checkbox"/> DISAPPROVED <input type="checkbox"/> APPROVED			
SIGNATURE OF DIRECTOR, OFFICE OF SPECIAL OPERATIONS		DATE	
<input type="checkbox"/> DISAPPROVED <input type="checkbox"/> APPROVED			